
By: **Delegates Vallario, Anderson, Carter, Dumais, Gutierrez, Hennessy,
Kelley, Kelly, Lee, Menes, Quinter, and Simmons**

Introduced and read first time: February 13, 2004

Assigned to: Economic Matters and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on Medical Malpractice**

3 FOR the purpose of establishing a Task Force on Medical Malpractice; providing for
4 the composition, chairman, and staff of the Task Force; providing that members
5 of the Task Force may not receive compensation, but may be reimbursed for
6 certain expenses; providing for the duties of the Task Force; requiring the Task
7 Force to report to the Governor and the General Assembly by a certain date;
8 providing for the termination of this Act; and generally relating to the Task
9 Force on Medical Malpractice.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That:

12 (a) There is a Task Force on Medical Malpractice.

13 (b) The Task Force consists of the following members:

14 (1) three members of the Senate of Maryland, appointed by the President
15 of the Senate;

16 (2) three members of the House of Delegates, appointed by the Speaker
17 of the House;

18 (3) the Attorney General, or the Attorney General's designee;

19 (4) the Secretary of Health and Mental Hygiene, or the Secretary's
20 designee;

21 (5) the Maryland Insurance Commissioner, or the Commissioner's
22 designee;

23 (6) the Director of the Health Claims Arbitration Office, or the Director's
24 designee;

25 (7) the Chairman of the State Board of Physicians, or the Chairman's
26 designee;

1 (8) three circuit court judges appointed by the Chief Judge of the Court
2 of Appeals, in consultation with the President of the Senate and the Speaker of the
3 House;

4 (9) two health care consumers, one of whom shall be appointed by the
5 President of the Senate and one of whom shall be appointed by the Speaker of the
6 House; and

7 (10) the following members appointed by the Governor, in consultation
8 with the President of the Senate and the Speaker of the House:

9 (i) one representative of the Medical and Chirurgical Faculty of
10 Maryland;

11 (ii) one representative of the Medical Mutual Liability Insurance
12 Society of Maryland;

13 (iii) one representative of the Maryland Hospital Association;

14 (iv) one representative of the Maryland State Bar Association;

15 (v) one representative of the Maryland Defense Counsel;

16 (vi) one representative of the Maryland Trial Lawyers Association;
17 and

18 (vii) one representative of the health insurance industry.

19 (c) The President of the Senate and the Speaker of the House, in consultation
20 with the Governor, shall designate the chairman of the Task Force.

21 (d) The Department of Legislative Services shall provide staff for the Task
22 Force.

23 (e) A member of the Task Force may not receive compensation, but is entitled
24 to reimbursement for expenses under the Standard State Travel Regulations, as
25 provided in the State budget.

26 (f) The Task Force shall:

27 (1) assess the extent to which the cost of medical malpractice liability
28 coverage for health care providers, including health care providers in high-risk
29 specialties, increased in recent years;

30 (2) determine the causes of the increased cost of medical malpractice
31 liability coverage for those health care providers;

32 (3) study any aspect of the health care, insurance, or legal systems
33 related to medical malpractice liability; and

1 (4) make recommendations to address the increased costs of medical
2 malpractice liability coverage.

3 (g) The Task Force shall report its findings and recommendations to the
4 Governor, and in accordance with § 2-1246 of the State Government Article, to the
5 General Assembly on or before December 15, 2004.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
7 effect June 1, 2004. It shall remain effective for a period of 7 months and, at the end
8 of December 31, 2004, with no further action required by the General Assembly, this
9 Act shall be abrogated and of no further force and effect.